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April 10, 2020

Via Email and PACER

The Honorable Martin Glenn
United States Bankruptcy Court
for the Southern District of New York
One Bowling Green
New York, NY 10004-1408

Re: *In re Foreign Economic Industrial Bank Ltd.* (Case No. 16-13534-MG);
In re Larisa Markus (Case No. 19-10096-MG).
DIA v. LARMAR, et al. (Adv. Proc. Case No. 19-01413-MG);
Rozhkov v. LARMAR, et al. (Adv. Proc. Case No. 19-01414-MG).

Dear Judge Glenn:

Pursuant to the Court's direction at the April 6, 2020 status conference, attached please find the proposed order concerning the stay and extensions in the above-referenced four related cases (*Bank, Markus, DIA* and *Rozhkov*), which was ECF-filed today. The proposed order includes the caption of the four cases and details in footnote 1 who appeared for whom – and who did not appear – at the April 6th conference.

First, Mr. Worms, objects to a single order including the captions of all four proceedings, notwithstanding the footnote detailing appearances. His position is that the Chapter 15 proceedings and the adversary proceedings have not, and cannot, be consolidated. Further, he is not representing any party in the adversary proceedings and is not on the docket in those proceedings. Therefore, all four actions should not be captioned in one order. Accordingly, attached please find the same proposed order divided into two separate orders: one for the two Chapter 15 cases (*Bank, Markus*), and one for the two adversary proceedings (*DIA* and *Rozhkov*). Mr. Worms has no other objections.

Second, Mr. Singer stated he intends to submit his own “competing” proposed order because he objects to the dates in the FRs’ proposed order and to Mr. Bykov’s deposition. Given that Mr. Singer has had since at least October 31, 2019 – *i.e.*, the date of the Discovery Order (*Bank* ECF 165; *Markus* ECF 185) – the FRs’ proposed dates are reasonable. We provide for May 14 as the date for an eDiscovery vendor to identify and OCR files, May 27 for certain specific documents to be produced, and electronic discovery to be completed by June 3, 2020. We have scheduled Mr. Bykov’s deposition for June 15, 2020. Mr. Singer objects to Mr. Bykov’s deposition as duplicative of his deposition in the adversary proceedings. The FRs, however, are entitled to the Rule 2004 Bykov deposition, as ordered. The deposition has been noticed since October 11, 2019 and will cover many issues beyond the narrow disputes in the adversary proceedings, including Ms. Markus’ other assets in the United States and Ms. Markus’ assets outside the United States, as well as her brother’s involvement in the embezzlement, which are not the subject of the adversary proceedings.

Finally, we are taking instruction on whether to proceed with a turnover motion against Mr. Bykov for monies transferred to him from Ms. Markus’ English properties, as discussed at the April 6th conference.



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We thank Your Honor for his attention to this matter.

Sincerely,

/s/ Bruce S. Marks

For: Marks & Sokolov LLC

Attachments